

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

ILLINOIS DEPARTMENT OF
TRANSPORTATION,

Petitioner,

v.

THE KANSAS CITY SOUTHERN
RAILWAY COMPANY,

Respondents.

Docket No. T030062

THE KANSAS CITY SOUTHERN RAILWAY COMPANY'S ANSWER TO PETITION

COMES NOW Respondent The Kansas City Southern Railway Company ("KCS"), by and through its undersigned attorneys, and for its Answer to The Illinois Department of Transportation's ("Petitioner") Petition, states as follows:

1. Denied. Without waiver of said denial, KCS answers further that it operates certain mainline track running from northeast to southwest through the Village of Manchester in Scott County, Illinois.
2. KCS is without sufficient information to admit or deny the allegations of paragraph 2 of Petitioner's Petition, and therefore, denies same.
3. KCS is without sufficient information to admit or deny the allegations of paragraph 3 of Petitioner's Petition, and therefore, denies same.
4. KCS states that the allegations contained in paragraph 4 of Petitioner's Petition contain conclusions of law to which no response is required. To the extent a response is required, KCS denies the allegations contained in paragraph 4 of Petitioner's Petition.

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5. KCS is without sufficient information to admit or deny the allegations of paragraph 5 of Petitioner's Petition, and also states that the allegations of paragraph 5 of Petitioner's Petition contain conclusions of law to which no response is required. To the extent any further response is required, KCS denies the allegations of paragraph 5 of Petitioner's Petition.

6. KCS is without sufficient information to admit or deny the allegations of paragraph 6 of Petitioner's Petition, and therefore, denies same.

7. KCS is without sufficient information to admit or deny the allegations of paragraph 7 of Petitioner's Petition, and therefore, denies same.

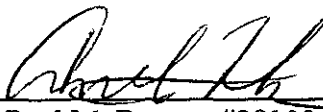
8. KCS is without sufficient information to admit or deny the allegations of paragraph 8 of Petitioner's Petition, and therefore, denies same.

9. KCS is without sufficient information to admit or deny the allegations of paragraph 9 of Petitioner's Petition, and therefore, denies same.

10. KCS admits the allegations contained in paragraph 10 of Petitioner's Petition.

WHEREFORE, Respondent The Kansas City Southern Railway Company prays that The Illinois Commerce Commission dismiss Petitioner's Petition, and grant KCS any other such relief as The Commission may deem just and appropriate.

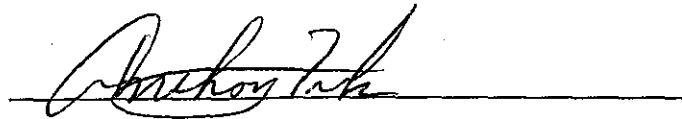
Respectfully submitted,

By 
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OF COUNSEL:
THOMPSON COBURN LLP

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was faxed and mailed certified mail postage prepaid to Stacy C. Hollo, Special Assistant Attorney General, Illinois Department of Transportation, 2300 S. Dirksen Parkway, Room 311, Springfield, IL 62764; Ron Drake, Village Board President, P.O. Box 193, Manchester, IL 62663 and Peggy Renner, Village Clerk, P.O. Box 193, Manchester, IL 62663 this the 15 day of July, 2003.

A handwritten signature in cursive script, appearing to read "Anthony J. La", is written over a horizontal line.